

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: BAIR HUGGER FORCED AIR
WARMING DEVICES PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/FLN)

This Document Relates To:
Nugier, 16-cv-4246

**DEFENDANTS' MEET AND
CONFER STATEMENT
REGARDING MOTION TO
COMPEL AGAINST THE MIAMI
VETERANS ADMINISTRATION
MEDICAL CENTER**

The undersigned counsel for Defendants 3M Company and Arizant Healthcare Inc. ("Defendants") certifies that counsel for Defendants met and conferred with the Miami Veterans Administration Medical Center as follows:

1. Counsel for Defendants requested discovery from the Miami Veterans Administration Medical Center, through written correspondence delivered via email and hand delivery, on August 16, 2017 and August 21, 2017. The Office of General Counsel for the U.S. Department of Veterans Affairs ("Office of General Counsel") responded in writing on August 24, 2017 and denied Defendants' requests in their entirety.

2. Prior to the correspondence of August 16 and 21, 2017, counsel for Defendants made multiple attempts to communicate with the Office of General Counsel about the need for the requested discovery and the position of the Miami Veterans Administration regarding same. These efforts included telephone voice messages and

multiple emails (August 4, 8, 9, 10, and 14, 2017) informing of the applicable discovery cutoff and the need for a response concerning whether Defendants would be able to allowed the necessary discovery. No response was received prior to the August 24, 2017 letter from the Office of General Counsel.

3. As of the time of this filing, the Miami Veterans Administration Medical Center has not agreed to any of the discovery sought by Defendants.

As such, Counsel for Defendants and the Miami Veterans Administration Medical Center have not been able to resolve any portion of Defendants' Motion at this time.

Dated: August 29, 2017

Respectfully submitted,

s/Benjamin W. Hulse

Benjamin W. Hulse (#0390952)
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